

**Springerville Town Council  
Minutes  
March 24, 2004**

Present: Mayor Kay Dyson, Mark Baca and Scott Cray

Absent: Ramon Castillo and Mary Nedrow

Staff: Kurt Hassler Town Manager; Steve West Police Chief, Cyndi Henderson, Kim Wise, Marnie Uhl and Sterling Solomon Town Attorney.

Public: Jim Wise, Jeff Barbe, Pete Hunt, Betty Amator, Marty Hay, Trish and Pat Patterson, John Lang, Joyce Arent, Marnie Uhl, Deanna Davis, Chuck Davis, Doug Henderson, Jim and Kay Leverton, Susie Silva, Malcolm Silva, Buster Madariaga, Dave and Amy Pulsifer, Stephen and Debbie Martin, Edde Castillo, Pat and Evelyn Arabie, Jim Cutler, Robin Burnham, Gaylyn Knight, Larisa Bogardus, and Sue Hall.

**1. Call to Order**

Mayor Dyson called the meeting to order at 6:02 p.m.

**2. Pledge of Allegiance and Invocation**

The Pledge of Allegiance was led by Councilman Cray. Invocation by Mark Baca.

**3. Public Participation**

There was no public participation.

**4. Manager, Council and Chamber Reports**

Marnie Uhl thanked the Town of Springerville for sponsoring the mixer at Java Blues last week, and said that it turned out really nice. Next month the mixer will be held at the Crazy Quilt Shoppe on April 22, 2004. She informed the Council she is working on the circus coming to town on April 20, 2004. Ticket sales will be starting on April 1, 2004.

Mayor Kay Dyson stated that there will be an open house at the new Public Safety Building, on April 1, 2004, it's a \$1.75 million dollar public facility safety complex, that houses their ambulances, fire and police. Everyone is welcome to attend. The National Guard unit out of Show Low is poised to come back any day. Three bus loads of soldiers will stop at the American Legion in Springerville, AZ. We are going to welcome them from Iraq and thank them.

Councilman Scott Cray reported that he attended a Blue Hills Meeting. He stated they are considering applying for two grants; one for recycling newspaper and the other for cardboard, and are looking to acquire a flat-bed trailer, approximately 12 – 13 thousand pounds, for this purpose. However, they are considering delaying this matter for the time being.

Councilman Cray also reported that the City of St. Johns is considering going to a mandated collection system. As part of their water and sewer bills, they would also have collections of their solid waste.

Councilman Cray attended the Springerville Fire Department meeting on March 4, 2004, at 7:00 pm. and was very impressed at how the meeting was run.

The Building Committee met on March 17<sup>th</sup> and 24<sup>th</sup>. They have some issues to work out and will need Council Direction.

Town Manager Kurt Hassler reported that, as of the end of February, the Town is operating in a profit. We have taken in \$189,000 more than we spent this year. We do have some expenses coming up for the sewer project for Mr. Moses. Mr. Hassler informed the Council that regarding the Local Sales Tax collection, 4 out of the last 5 months, the Town has been above the seven year average. Things are looking better. We received a letter from the Department of Revenue, informing us that they had not been able to calculate and disperse all the Sales Tax Revenues during the month of February because they were behind schedule. We are hoping that March will pick up and we will be \$15,000 over, so we should be at \$100,000 in March.

Mr. Hassler updated the Council on the Moses project. The boring was completed in the last 2 days. All We will start putting the pipe underneath the road as soon as we make the cap end to the existing line. We have saved the Town a lot of money by doing this ourselves.

**5. Proclamation – Consider authorizing the Mayor to sign a proclamation designating April as Fair Housing Month**

Mayor Dyson read the Proclamation declaring April as Fair Housing month.

Motion by Mark Baca/Scott Cray to authorize the Mayor to sign the Proclamation declaring April as Fair Housing month.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**6. Minutes – Consider approval of Minutes from Council Meeting held March 3, 2004**

Consider approval of the minutes from the Town Council meeting held March 3, 2004.

Motion by Scott Cray/Mark Baca to approve the minutes of March 3, 2004.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**7. Minutes – Consider approval of Minutes from Council Work Session held March 10, 2004**

Consider approval of the minutes from the Town Council work session held on March 10, 2004.

Motion by Scott Cray/Mark Baca to approve the minutes of March 10, 2004.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**8. Ordinance 2004-002 – Second Reading and discussion of Ordinance 2004-002 adopting by reference the public document concerning the Town Code for Springerville**

Mayor Dyson read Ordinance 2004-002. She noted the following correction, "*effective 12:01 a.m. on March 25, 2004*", not "*effective at 12:01 a.m. on the first day of March 25, 2004*". Mr. Hassler explained that this ordinance was the old cranberry book, reorganized so that it is more easily read. New ordinances that have been passed are incorporated into this new book, except for the ordinances that are listed in 2004-002, and those were ordinances relating to annexations, zoning code, zoning changes and tax code adoption.

Mayor Dyson stated that we have taken two books and made them into one book, and that nothing has been rewritten.

**9. Ordinance 2004-002 – Consider adopting Ordinance 2004-002**

Motion by Mark Baca/Scott Cray to authorize the Mayor to sign Ordinance 2003-003, adopting the public document concerning the municipal code for the Town of Springerville. It is noted that Mark Baca read the wrong date when making his motion. He then corrected his motion.

Motion by Mark Baca/Scott Cray to authorize the Mayor to sign Ordinance 2004-002, adopting the public document concerning the municipal code for the Town of Springerville.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**10. Request for Funds – Consider authorizing the Town Manager to make a payment to the Boy Scouts**

Pete Hunt, representative for the Boy Scouts of America said they were asking for a donation of \$250 from the Town of Springerville.

Motion by Scott Cray/Mark Baca to authorize the Town Manager to make a payment of \$250.00 to the Boy Scouts of America out of the contribution line item of the Council budget.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**11. Water and Sewer Rates**

Mr. Hassler explained that on March 16, 2004, he met with local businesses, and there were four general points that came out of that meeting.

- (1) Businesses were concerned that they were not personally notified of the potential increases in water and sewer rates, either by letter or phone call.
- (2) They want the sewer bills based on a four month average, that being November, December, January and February. The current rate structure is set up so they are being charged on actual usage in every month.
- (3) They wanted the rate, per thousand gallons, reduced. Currently that is \$2.50. There was no number as to what they wanted to see it reduced to, but they just wanted it reduced.
- (4) They wanted the residential properties charged the same rate as commercial properties. Right now, residential is being charged a flat rate of \$16.50, based upon two things, it has always been a fixed rate and the other is because that is the way a majority of the towns around here do residential.

Should the Council decide to change the new rates, Mr. Hassler recommended the following:

- (1) Remove \$200 fee for crossing the road. Add \$100 to sewer hook-up fee and \$100 to water hook-up fee.
- (2) Turn on-turn off fees: currently they are \$5; suggest raising to \$10.
- (3) Propose reducing the water adjudication fee from \$1.25 per month, per account, to \$0.75 per month, per account.
- (4) Leave commercial base rate at \$13.50, reducing the usage per 1000 gallons to \$1.75 from current \$2.50. Residential: Move them over to a monthly rate per water usage, base rate of \$13.50 plus \$1.75 per 1000 gallons, basing residential on a three month minimum, December, January, February. That would eliminate all the flat fees that we currently have on the schedule.

Scott Cray stated that he was opposed to the new suggested rates. He would like to see the one penny sales tax (added for the Ranch) go away, and believes that with the new rates, there is a possibility that it may.

Comments and concerns were given by several Town residents regarding the recently adopted water and sewer rates.

Mr. Hassler said that the Notice of Public Hearing will be sent to the newspaper. The Public Hearing will be tentatively scheduled for May 12, 2004. We will take the feedback from that meeting, and will pass the new Resolution at the next meeting in May.

**12. Resolution 2004-R004 - Consider authorizing the Mayor to sign Resolution 2004-R004 to canvas the vote from the March 9, 2004 primary election**

Mayor Dyson read Resolution 2004-R004 regarding the vote canvassing from the March 9, 2004 primary election.

Motion by Scott Cray/Mark Baca to authorize the Mayor to sign Resolution 2004-R004 to canvass the vote from the March 9, 2004 primary election.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

Certificates of Election were then given to Pete Hunt and Mark Baca by Mayor Dyson.

**13. Resolution 2004-R005 - Consider authorizing the Mayor to sign Resolution 2004-R005 to approve the submittal of the technical assistance grant to WIFA**

Mr. Hassler explained that WIFA stands for Water Infrastructure Finance Authority. They are a financing authority for Arizona, dealing with water and wastewater issues. The Town is looking to make improvements to the Wastewater Plant, and in doing major maintenance to the Plant. One of the improvements we would like to put in is a bypass around the plant, so it can be shut down while maintenance is done. This would allow the Town crew to do maintenance. If we can not shut it down, we would have to contract out for this service. The bypass would go around to the 90 acres of sewer ponds that the Town has. Mayor Dyson read Resolution 2004-R005.

Motion by Scott Cray/Mark Baca to authorize the Mayor to sign Resolution 2004-R005 regarding the submittal of a technical assistance grant to WIFA.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**14. Review of Resolution 531 – Discussion and possible action regarding payments to council members**

A motion was made by Mark Baca/Kay Dyson to table this matter to a future meeting.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**15. Pavement Striping – Discussion and action regarding proposed pavement striping on US 60 by the Arizona Department of Transportation**

Comments and concerns were given by the Council and several Town residents regarding the striping of Main Street. A majority of citizens gave their negative opinion regarding the extra turn lane.

Mayor Dyson asked Councilman Cray how he felt about this issue, and if he had talked to people about this. Councilman Cray then said, verbatim, *“Actually, I have some experience in this. The small town that I came from, some 18 years ago...Sedona, and they experienced the exact same thing. Like Mr. Patterson noted, the accident rate decreased but they actually, the casualty rate went higher, because most folks use that center lane for a merge lane. I see this issue as being safety on one hand and economics on the other, and we have to somehow make a compromise. It’s really a no brainer. It looks like economics is what I am hearing is the consensus, at least here.”*

Motion by Mark Baca/Kay Dyson to leave US Hwy 60 as is, without any change from ADOT and authorizing the Town Manager to send a letter to ADOT requesting that striping **NOT** be done on US Hwy 60 (Main Street) in Springerville.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**16. Ordinance 2004-003 – First Reading and discussion of Ordinance 2004-003 regarding the restriction of Open Fires**

Mayor Dyson read Ordinance 2004-003, which will prohibit certain open outdoor fires in the Town of Springerville during periods when such fires are prohibited by the United States Forest Service or by authorization of the Town Manager; establishing an effective date; proving for severability and providing penalties for violations.

**17. Facility Planning Training – Consider authorizing one council member to attend a training session in Kansas City regarding facility planning for police facilities**

Springerville Police Chief Steve West will be attending a training program in Kansas City that deals with facility planning strategies and techniques necessary to start and manage a successful building project. It would be beneficial to the Town to have Scott Cray attend this training also, as a representative from the Council and the Building Committee, recently established by the Council.

Mayor Dyson stated that we need to move the Police Department away from the Administration Department.

Motion was made by Kay Dyson/Mark Baca to authorize Scott Cray to attend the facility planning training in Kansas City.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**18. Water Adjudication – Discussion and possible action on current water adjudication lawsuits**

This matter was tabled until the end of the meeting.

**19. Per Diem Request – Consider authorizing reimbursement to Kay Dyson for attending a meeting**

Mayor Dyson declared a conflict of interest. No action taken due to lack of quorum.

**20. Liability Insurance – Consider authorizing the Town Manager to set liability insurance limits with the Town's insurance company**

Mr. Hassler stated that if we lower the Southwest Risk Services excess liability insurance for the Town of Springerville from \$8,000,000 to \$3,000,000, we will save \$11,350 annually. Mayor Dyson would like more information from the League of Cities. Town Attorney Sterling Solomon stated that it makes him nervous just talking about dropping the liability insurance rates.

A motion was made by Scott Cray/Kay Dyson to table this matter until more information is obtained.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**21. Sanitary Sewer Contract – Consider awarding a contract to perform sanitary sewer work for the Town of Springerville**

Four bids were received for sanitary sewer work on Mike Moses' RV Park. The lowest bid received was from Concrete Systems for \$129,132.50. Jim and Jeannie Cutler of Concrete Systems introduced themselves to the Council. Their proposed start date is April 19, 2004. The reason for the delay is because they have another obligation they need to complete. Once that is completed, they can devote their complete attention to Mr. Moses' RV Park.

Motion was made by Scott Cray/Kay Dyson to award the contract to perform sanitary sewer work to Concrete Systems.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

**18. Water Adjudication**

Motion was made by Mark Baca/Scott Cray to allow Kim Wise to go into Executive Session to take minutes.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

Motion was made by Scott Cray/Mark Baca to enter into Executive Session to discuss the Water Adjudication lawsuit.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

Meeting adjourned into Executive Session at 8:35 p.m.

Motion by Scott Cray/Mark Baca to reconvene the regular meeting, followed by motion to adjourn at 8:45 p.m.

Vote:	Ayes:	Kay Dyson
		Mark Baca
		Scott Cray

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Kay Dyson, Mayor

ATTEST:

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Kim Wise

I hereby certify that the foregoing is a true and correct copy of the minutes of the Springerville Town Council in regular session on Wednesday March 24, 2004. I further certify that the meeting was duly called and a quorum was present.

Dated this 29th Day of March 2004

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Kim Wise